

## UNITED STATES DISTRICT COURT

## DISTRICT OF NEVADA

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KRISTAL FARQUHARSON,

Case No. 3:24-cv-00201-MMD-CLB

Plaintiff,

v.

ORDER

BELL LEXUS NORTH SCOTTSDALE,

Defendant.

Pro se Plaintiff Kristal Farquharson sued her former employer, Defendant Bell Lexus North Scottsdale, under Title VII of the Civil Rights Act of 1964, for discrimination and retaliation. (ECF No. 2.) The Court ordered Farquharson to show cause why this case should not be transferred to the District of Arizona, Phoenix Division, by June 3, 2025. (ECF No. 34 (“OSC”).) Farquharson did not timely respond to the OSC. As further explained below, the Court will accordingly transfer this case *sua sponte* to the District of Arizona, Phoenix Division.

“For the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought . . .” 28 U.S.C. § 1404(a). The Court may transfer a case *sua sponte* under Section 1404(a). See *Washington Pub. Utilities Grp. v. U.S. Dist. Ct. for W. Dist. of Washington*, 843 F.2d 319, 326 (9th Cir. 1987) (affirming a “*sua sponte* order to change venue” to another district). But the preferred practice is to make the possibility known before transferring *sua sponte*. See *Federal Practice and Procedure (Wright & Miller)*, § 3844 Procedure for Transfer, 15 Fed. Prac. & Proc. Juris. § 3844 (4th ed.) (April 2025 Update). Here, the Court issued the OSC, but Farquharson did not timely respond. The Court accordingly made the possibility known before transferring. And for the reasons the

1 Court provided in the OSC, the Court finds that transfer to the District of Arizona, Phoenix  
2 Division, is appropriate under 28 U.S.C. § 1404(a).

3 It is therefore ordered that the Court sua sponte transfers this case to the District  
4 of Arizona, Phoenix Division.

5 It is further ordered that Farquharson's most recent motion for entry of Clerk's  
6 default (ECF No. 33) is denied as moot.

7 The Clerk of Court is directed to close this case file after transferring the case.

8 DATED THIS 5<sup>th</sup> Day of June 2025.

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10 MIRANDA M. DU  
11 UNITED STATES DISTRICT JUDGE  
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